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ABSTRACT

New York City's response to the demand for shelter has consistently been adequate. The city's homeless population is estimated at 35,000, including 11,000 members of homeless families, of whom almost 7,625 are children. The City's Human Resources Administration (HRA) has routinely failed to provide temporary emergency shelter for homeless families. This report focuses on HRA's main, and until recently, only emergency welfare office, the Emergency Assistance Unit (EAU). It is the office where homeless families in need of shelter are directed when HRA's neighborhood income maintenance centers are closed, in the evenings and on weekends. A group of volunteer observers monitored the EAU on eight consecutive weekends in September through November 1984. During that time scores of homeless families were denied placement in temporary shelter when the supply of shelter space to which HRA had access was exhausted. Children and their mothers often had to sleep on the EAU floor. Space is most limited on weekends. Although HRA provides shelter to all homeless men and women who have no children, the agency refuses to acknowledge any similar obligation to homeless families that include children. HRA's has heedlessly neglected the crisis encountered by homeless families with children. Recommendations for improving the housing situation are offered. An appendix provides the testimony of Robert M. Hayes, a lawyer for the Coalition for the Homeless, before the House Subcommittee on Intergovernmental Relations and Human Resources Committee on Government Operations, November 20, 1984. (BJV)

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Perchance to Sleep

Homeless Children Without Shelter In New York City

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December 1984

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"Home is the place where, when you have to go there,
They have to take you in."
"I should have called it
Something you somehow haven't to deserve."

-Robert Frost, "The Death of the Hired Man"
1914

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The Coalition for the Homeless gratefully acknowledges the assistance of the many foundations, corporations, and individuals who support our efforts to implement the principle that decent housing and shelter are fundamental rights in a civilized society. In particular we thank the J.M. Kaplan Fund, the Vincent Astor Foundation, Morgan Guaranty Trust Company, Trinity Church, The New York Foundation, The New York Community Trust, and the James C. Penney Foundation Inc. The authors of this report also wish to thank the many volunteers who spent long hours over several weekends documenting the conditions which form the body of the report.

Introduction

Over two years ago, the Coalition for the Homeless released "Cruel Brinkmanship," a report on New York City's failure to plan for the expected rise in demand for shelter for the homeless in the winter of 1982-83. Having reviewed the City's performance for each of the three preceding winters, the Coalition concluded that

> but for the repeated intercession of the court, City officials would still claim that the existing shelter capacity -- whatever it happened to be -- is sufficient to meet the demand.

The City's response to the demand for shelter had consistently been one of minimization, if not denial, of the extent of the need, and of dissembling, if not misrepresenting, the adequacy of the response. The court alone provided the necessary corrective.

That report was issued in response to the situation of homeless single men and women. There was no recognized "crisis" in the provision of temporary shelter to homeless families at the time. A scant year later, however, the signs were unmistakable: demand for emergency shelter by homeless families had increased by 24% between July 1981 and July 1982, but it doubled in the following year. In March, 1983, the Legal Aid Society filed McCain v. Koch in the State Supreme Court of New York County; the suit charged the City and State with having failed to provide adequate emergency shelter, assistance and services to homeless families.

An interim order was thereafter issued by the court, setting minimal standards for temporary hotel accommodations and establishing procedures to protect the due process rights of homeless families. Because New York City has appealed that order, City officials enjoy an automatic suspension of that order's enforceability.

The City's response to the problems of homeless families, reminiscent of its handling of the issue of single homeless men and women, was to mobilize its crisis management apparatus. Shelter reimbursement rates -- set at $14.00 for the first night, and $9.00 for each additional person, per night -- were quietly increased on an ad hoc basis to whatever a landlord demands, in hopes of retaining the services of reluctant hotel operators, the quality of whose services had suddenly become subject to scrutiny. Relocation efforts were stepped up, although often to little avail. The City Department of Health was dispatched to investigate charges of widespread malnutrition among "hotel children" and soon reported (in a never-released study) that it had found very little evidence of a severe problem. A Mayoral Task Force was appointed and in October 1983 it issued a report predicting a further rise in demand to 3200 homeless families in 1984. The report called mainly for shelter coordination between the relocation services of the City Department of Housing, Preservation and Development ("HPD") and the Crisis

Intervention Services division of the City Human Resources Administration ("HRA").

Still, demand continued to outstep supply. In September 1983, the City opened the first of three barracks-like mass facilities for temporary shelter of homeless families, a 210-bed and crib shelter on an open gymnasium floor in Roberto Clemente State Park, off the East River in northwest Bronx. Such facilities soon became the City's first line of response to the growing demand; acceptance of residence in mass facilities came to constitute a de facto "means test" by which homeless families were made to prove their neediness.

By April 1984, over 2900 homeless families were quartered each night in emergency accommodations in hotels, motels, and mass facilities. Average lengths of stay in temporary shelter had increased from 3 months in 1981, to 4.3 months in early 1983, to over 6 months by the end of that year. Some hotel operators, hoping to capitalize on the more generous rates offered for sheltering homeless families, were displacing single people to create vacancies.

In January 1984, the City issued its "Comprehensive Plan" for homeless families, which "reaffirmed" City policy "to provide shelter and assist all homeless families . . . who request housing." It pledged to step up monitoring of the conditions in hotels -- now the subject of State regulation -- and to intensify efforts to provide permanent

housing to temporarily sheltered homeless families, as well as to ensure that relocated families were given appropriate follow-up. The expected effect was to be a tapering-off in emergency placements in mass facilities and a decreased reliance on hotels/motels for sheltering of homeless families.

In the ensuing months, renovation of in rem apartments, which is currently proceeding at some 200 apartments a month, enabled some 1000 families to be moved from hotels and mass facilities to permanent housing. Enforcement of standards for hotel conditions were strengthened and referrals to 12 hotels were discontinued because of outstanding violations.

But problems persisted and demand continued to grow. By the end of the summer, over 70 per cent of the hotels used by the City were being paid more than the standard reimbursement rate. Some of the "blacklisted" hotels were quietly returned to the City's referral list without having complied with the State standards. (The Allerton Hotel in Chelsea is a notorious instance). All three barrack-style shelters are currently operating at above capacity. A fourth shelter, located at Hoe Avenue in the Bronx, was recently opened by the City, but its capacity is low and it accepts families for one-night placements only. The families -- typically mothers with young children -- are forced back into the streets early each morning. As of October 31, 1984, 3178 families languished in emergency shelter place-

ments for want of any alternative.

Excepting that minority of permanent relocations into renovated in rem apartments (for which the City deserves praise), placements in barrack-style shelters and emergency hotel accommodations have emerged as the City's housing program for the homeless poor.

This, briefly, is the context within which the events recounted in this report have taken place. The disinterested observer, faced with a response so manifestly unequal to the need, might well wonder to what extent the City is hoping the problem will simply go away. If a City policy of grudging, demeaning response to overwhelming need can be hewed to long enough, the reasoning would go, perhaps more of the homeless poor -- let alone the marginally housed -- will think twice before applying for emergency shelter. Thus, City officials may believe, policy will revert to the nineteenth century dictums of the poor laws, and misery be made to disappear. It did not happen then, and it will not happen now.

Part I: Homeless Children Without Shelter in New York City

As inevitable as the approach of winter in New York City is the concomitant increase in the numbers and the hardships of the homeless. Already in 1984 the city's homeless population is estimated at 35,000.[1] Represented in this figure are over 11,000 members of homeless families,

close to 7,625 of whom are children.[2]

The purpose of this report is to illuminate the plight of homeless children in New York City through an examination of the routine failure of the City's Human Resources Administration ("HRA") to provide temporary emergency shelter to homeless families. The report focuses on HRA's main, and until recently, only emergency welfare office, the Emergency Assistance Unit (EAU), located in Manhattan at 241 Church Street. This is the office to which homeless families in need of shelter are directed when HRA's neighborhood income maintenance centers are closed, in the evenings and on weekends.

At the EAU, in recent weeks, scores of homeless families have been denied placement in temporary shelter when the supply of shelter space to which HRA has access has been exhausted. As a consequence, young children have spent entire nights sleeping in their clothes in the plastic chairs and on the formica countertops of the EAU office. Mothers have been forced to sleep on the EAU floor under brilliant florescent lights, their infants cradled in their arms for want of cribs. Even those families fortunate enough to be placed in temporary shelter have often waited at the EAU until 3:00 or 4:00 in the morning before such placements were offered; and then the assistance offered consists of directions for subway travel to distant congregate shelters or hotels.

The data on which this report is based was collected by a group of volunteer observers, supervised by Mark Bullock of the Coalition for the Homeless*, who monitored the EAU on eight consecutive weekends in September, October and November, 1984. A summary and analysis of the group's findings is included as Part II of this report. There have been some weeknights when shelter space has been exhausted. Still, weekends pose the most critical crisis since it is on weekends that the supply of beds available for homeless families decreases. One explanation for this offered by City officials is that HRA competes with the City's prostitution trade for beds, and prostitution increases in New York on weekends.

It is important to note that while HRA provides shelter, upon request, to all homeless men and women who have no children,[3] the agency refuses to acknowledge any similar obligation towards homeless families that include children.[4] Perhaps as a consequence, HRA has neglected to secure an adequate supply of emergency shelter space for New York City's steadily increasing population of homeless parents and their children. The agency currently relies on rooms in

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* Mr. Bullock is a volunteer with the Coalition as part of the Mennonite Voluntary Service. Observer team members included social workers, businessmen, lawyers and students.

private hotels with which it has no contracts, as well as four congregate shelters in Brooklyn and the Bronx, for the temporary shelter of homeless families. As this report demonstrates, demand for shelter has regularly exceeded this supply in recent months. Hence the present crisis, in which homeless children are compelled to spend whole nights in the waiting room of an emergency welfare office, if not in the streets.

HRA's response to this crisis has been one of neglect and heedlessness, even when other means of accommodation were made available. In late September 1984, New York State officials publicly offered the City use of a State-owned armory for the emergency shelter of homeless families with children. City Hall remained unmoved and unaccepting. Faced with one possible, partial solution, agency officials chose instead to deny that a crisis existed.

One aim of this report is to illustrate the harm that results from such inaction, and to suggest means by which the sheltering of homeless children in New York City might be ensured.

Part II: Observers' Reports: The Emergency Assistance Unit (EAU), September 21, 1984 - December 9, 1984

Friday, September 21 - Sunday, September 23, 1984

Observers first visited the EAU at 10:30 p.m. on Friday, September 21, 1984. At that time they found 90 people, including 45 children, awaiting emergency shelter placement.[1] At 6:00 a.m. the following morning, a total of 25 people, of whom 17 were children, remained.[2] On Saturday, September 22 at 10:30 p.m., 55 people, including 30 children, had not yet been provided with shelter; by 12:00 a.m. on Sunday, September 23, 35 people were still awaiting shelter placement.[3]

Friday, September 28 - Sunday, September 30, 1984

At 8:00 p.m. on Friday, September 28, 1984, there were a total of 100 people at the EAU, of whom 35 were children and 5 were infants.[4] At 8:30 that evening, an EAU employee informed the monitoring observer that the City had exhausted its supply of emergency shelter for the night and that no further placements could be made.[5] At 11:00 p.m. there were still 70 people at the EAU office; by 12:30 a.m. on Saturday, September 29, the number had dropped to 45,[6] and at 6:45 a.m. three adults and one infant remained.[7] At 7:00 p.m. on Saturday, September 29, 48 people awaited

emergency shelter placements at the EAU; of these, 23 were adults, 21 were children, and 4 were infants.[8]

One of the families at the EAU that Saturday evening consisted of a homeless mother and two sons, aged 7 and 8, the younger of whom was asthmatic. The family had spent most of the previous night at the EAU before receiving a placement at the Hoe Avenue shelter in the Bronx. They had arrived at the shelter at 4:00 a.m. Another mother at the EAU had had a similar experience: the night before, she and her child, who suffered from a heart condition and diabetes, had waited until 4:00 a.m. before they were given a one-night placement at the Forbell Street congregate shelter in Brooklyn. A third family, composed of a mother and four young children, had spent the previous night at the EAU after refusing placement at a congregate shelter of the sort in which one of her children had been raped the month before.[9]

As of 12:00 a.m. on Sunday, September 30, 25 people had not been provided with shelter and continued to wait for placement at the EAU office.[10]

Friday, October 5 - Sunday, October 7, 1984

At the EAU at 8:15 p.m. on Friday, October 5, 50 people were waiting for placement in emergency shelter; by 11:30 p.m., that number had grown to 80, including approximately 27 children.[11] At around midnight, 62 people, most of whom had been at the EAU since about 7:00 p.m., were still waiting.[12]

As indicated by the experience of two mothers, one of whom was provided by EAU staff with only one diaper for her two-month old child throughout the evening of October 5, and the other, who was told that no milk was available for her two babies, the EAU is not equipped to handle the needs of homeless children who must spend entire nights there when the City fails to provide them with shelter.[13] The EAU employee charged with distributing provisions to homeless families told the monitoring observer that night that by midnight the only food available consisted of twenty sandwiches, and that the office's supply of fruit juice had been depleted. The observer was also informed that EAU policy restricts distribution of sandwiches to children and adults to one per person every eight hours, and limits provision of bottles of formula and of diapers to one per infant every eight hours.[14]

Two incidents that occurred the night of October 5 suggest, moreover, that the City's practices in providing

emergency shelter through the EAU threaten the integrity of homeless families with children, by forcing mothers and fathers to choose between separation and spending the night with their children at the EAU office. One family, consisting of a mother, a father, and their feverish six-month old son, had arrived at the EAU that day at 4:00 p.m. Twice within the previous two weeks, the family had slept overnight at the EAU office after the City failed to place them in emergency shelter. At 5:00 p.m. on October 5, an EAU employee, having denied the family's request for placement at a hotel or a congregate shelter, suggested that the father go by himself to a shelter for homeless men, and that the mother take her sick baby with her to a women's shelter. Rejecting separation, the mother and father planned to spend the night again at the EAU, and at 1:15 a.m. they had settled down for the duration.[15] Similarly, another family, including a mother, father, and their three children, aged 4 years, 1½ years, and 4 months, was denied joint shelter placement at 7:00 p.m. on October 5. An EAU worker told the parents that their only alternative to sleeping at the EAU office was to split up: the father could go alone to a men's shelter, and the mother, with her children, could be placed at the Forbell Street congregate shelter in Brooklyn. The parents refused to separate, and at 1:15 a.m. the family remained at the EAU office.[16]

Also evident at the EAU is the persistent risk to children and adults of contracting disease. On the evening of October 5, one mother and her four children arrived at the EAU after having spent the day at the local income maintenance office, the Prospect Center in Brooklyn, waiting in vain for an emergency shelter placement. The family had spent the previous night at the Hoe Avenue shelter in the Bronx, but had been told not to return because the family's youngest member, a six-month old infant, had the measles. As of 1:15 a.m. the family, which also included an eight year old whose entire leg was in a cast due to corrective surgery, had not yet been seen by an EAU caseworker, much less provided with shelter.[17] Also on the night of October 5, a mother, a father, and their two young children, who had spent several nights at the EAU office since becoming homeless at the end of August, had not been placed in any shelter by 1:15 a.m., despite EAU employees' awareness that the mother had active tuberculosis.[18]

As of 1:15 a.m. on Saturday, October 6, at least four additional families, all of them including young children and all of whom had arrived at the EAU between 7:00 p.m. and 9:00 p.m. Friday evening, had not been provided with any emergency shelter whatsoever.[19]

At 6:00 a.m. the following Sunday, October 7, 1984, there were 18 people at the EAU, most of them asleep in the office's plastic chairs, on formica counters, or on

the floor.[20] One of the homeless families there consisted of a mother, a father, and their three young daughters. The father, a bricklayer by trade, had been recently laid off for the winter. The family had been staying at the Forbell Street shelter in Brooklyn until the day before, when they were told they had to leave that congregate care facility because their youngest child had contracted conjunctivitis. They had arrived at the EAU at around 8:00 p.m. on Saturday, October 6. At 9:30 p.m. they were told by an EAU worker that they could not be placed at a hotel until 2:00 a.m. the next morning, and that if they so chose, they would have to leave the hotel by 7:00 a.m. Reasoning that to choose such an alternative would mean depriving their children of much-needed sleep, the parents decided to remain at the EAU through the night.[21] Also at the EAU at 6:00 a.m. on Sunday was a homeless mother with her two-month old infant. The two had arrived at 5:00 p.m. the day before, and had been seen by an EAU employee four hours later. The EAU worker had told the mother that there was no available shelter that would accept placement of someone with such a young infant, and offered her the option of staying at the EAU office until the following Tuesday when, it was said, suitable shelter might more likely be located.[22]

Friday, October 12 - Sunday, October 14, 1984

At 7:00 p.m. on Friday, October, 1984, 80 people were awaiting placement in emergency shelter at the EAU;[23] by 10:30 p.m. their number was undiminished, comprising 48 children and 32 adults.[24]

One of the families at the EAU that night consisted of five children and their mother, who was afflicted with hepatitis. The family had become homeless after the children's grandmother, with whom all six had been living, decided that she could no longer afford to keep them. Early in the evening of October 12, the mother was told by EAU employees that her family could not be placed at a hotel or congregate shelter, and that they should leave the emergency welfare office and not come back. Since they had nowhere else to go, however, mother and children expected to spend the night sleeping at the EAU.[25] Members of another family awaiting shelter placement on Friday, October 12 had spent each of the two previous nights sleeping on the floor and plastic furniture of the EAU office, after EAU employees had failed to locate any temporary shelter accommodations for them. This family included a mother and six school-age children whose school attendance had been prevented as a consequence of their lack of shelter.[26] A third family at the EAU on October 12, consisted of a father, mother, and their six-month old

daughter. On a previous night the parents had been given $42.00 by an EAU employee at 1:00 a.m. and told simply to find a hotel room for themselves and their child somewhere. The family slept on the street that night, unable to secure any accommodations for that price.[27]

The experiences of three additional homeless families awaiting shelter at the EAU on October 12 demonstrate the peculiar senselessness with which the city's Human Resources Administration fails to provide temporary shelter to homeless families with sick children. One family, including a mother and three girls under the age of five years, had initially arrived at the EAU seeking emergency shelter on Thursday, October 11. Having finally received a referral for placement at a congregate shelter in Brooklyn at 1:00 a.m., the family travelled to the shelter at that hour, only to be turned away at the door because one of the children had a contagious skin rash. Having no alternative, the family returned to the EAU, arriving at 5:30 a.m. For the remainder of the morning hours the family slept in close proximity with others of the EAU office, and EAU employees neither attempted to place the family elsewhere nor showed any concern about the health hazards associated with the young girl's rash. Similarly, two homeless families awaiting placement at the EAU on October 12 had been expelled from congregate shelters within the preceding week because children in the families had

contracted contagious illnesses. After the families' return to the EAU, however, no effort was made to insure their isolation by placement, for example, in hotel rooms. Both families ultimately spent the nights following their evictions from congregate shelters sleeping among other families at the EAU office.[28] The irony of a policy that compels expulsion of ill children from congregate shelters only to relegate them to the floor and the plastic furniture of an all-night welfare office hardly needs be stated.

At 6:30 a.m. on Saturday, October 13, 1984, 20 people remained at the EAU. Of these, 9 were children and 11 were adults.[29]

In the early morning hours of Sunday, October 14, at 1:30 a.m., 46 people awaited placement in temporary shelter at the EAU; included in that number were 21 adults and 25 children.[30] For lack of crib space, two infants slept on office desks.[31] One homeless family consisted of a mother, a father, and their three pre-school children. The family had been staying at a congregate shelter until the preceding week, when they were required to leave when the children and their mother became ill. Since that time, the family had returned to the EAU for one-day shelter placements in hotels every night, and regularly waited until 2:00 a.m. or 3:00 a.m. before receiving referrals.[32]

At 7:00 a.m. on Sunday, October 14, one family, including a mother, a father, and their ten-year-old

daughter, remained at the EAU. Having been rendered homeless when the friends with whom they had been living were threatened with eviction unless they left, the mother and father had been told the night before by EAU employees that they could not be placed in temporary shelter together with their child because they were not receiving public assistance and because they had no marriage license with which to prove their marital status. They were offered the option of going separately to men's and women's shelters, but were told that no shelter was available for their young daughter. Faced with no other choice, the family spent the night at the EAU office.[33]

Friday, October 19 - Sunday, October 21, 1984

At 7:00 p.m. on the evening of Friday, October 19, 1984, there were 64 people at the EAU awaiting placements in emergency shelter.[34] One of the families there at that hour, consisting of a mother and her one- and three-year-old sons, had spent several previous nights sleeping at the EAU because no shelter could be located for them. The night before, they had waited at the EAU from 8:00 p.m. until 4:30 a.m., when they were finally placed at a hotel for the remainder of the morning.[35] Also at the EAU were a mother and her month-old daughter. The two had been evicted that morning from the apartment of a relative with whom they had been living. Having arrived at the EAU at 8:00 a.m., they

had been sent to the Queensboro Income Maintenance Center, where they spent the day without receiving an emergency shelter placement. When the Center closed, they were referred back to the EAU. Upon their return, EAU staff members informed the mother that she and her baby would have to spend the weekend there because all of the available hotel rooms were taken and no congregate shelter would accept infants.[36]

By 6:20 a.m. the following morning, Saturday, October 20, 1984, 40 people remained at the EAU, of whom over half were young children.[37]

At the EAU at 7:30 p.m. on Saturday, October 20, 100 people were awaiting temporary shelter placements. Of this number, 55 were children and 45 were adults. Approximately 100 people were still waiting to be placed at 10:30 p.m. that night. Due to lack of chairs, many people had no choice but to stand or sit on the floor.[38] At 10:30 p.m., there were 75 people at the EAU, of whom 40 were children and 35 were adults.[39] By midnight, 71 people remained. At 2:30 a.m. on Sunday, October 21, 1984, there were still 50 people at the EAU office, including 17 adults and 33 children, of whom 3 were infants. One and a half hours later, at 4:00 a.m., 41 people continued to await emergency shelter placements; of these, 12 were adults and 29 were children, including one infant. At 5:00 a.m., 29 people remained at the EAU, and by 6:00 a.m. on Sunday, October 21,

1984, 25 people were still waiting, including 7 adults and 18 children.[40] Few of the people awaiting placement at the EAU on the night of Saturday, October 20 and the morning of Sunday, October 21, 1984, were able to get any sleep. At around 5:30 a.m., just when most of the children had begun to settle down, an EAU staff member began to clean the floors with a loud vacuum cleaner, the noise of which awoke the dozing and prevented everyone from sleeping.[41]

The Saturday night and Sunday morning of October 20 - 21, 1984 saw two homeless mothers with infants wait at the EAU until 2:30 a.m. and 3:50 a.m. before receiving hotel placements in Queens.[42] Another mother then at the EAU with her five children had waited there until 6:00 a.m. the previous night before receiving a Queens hotel placement.[43] By 6:00 a.m. on Sunday, October 21, at least five homeless families had received no emergency shelter placements and were trying to sleep on the floor and furniture at the EAU. Of there, two families consisting of one mother and her six children, and another mother with three children, had been awaiting placement at the EAU since the evening of Friday, October 19, 1984, and had spent both Friday and Saturday nights at the EAU office. Three other families, two including mothers with three children, and one consisting of a mother and her two-year-old daughter, had arrived at the EAU on the evening of Saturday, October 20, and had not been placed by 6:00 a.m. on Sunday, October 21.

All of these families had been informed by EAU staff members that no shelter whatsoever was available for them.[44]

Friday, October 26 - Sunday, October 28, 1984

On Friday, October 26, 1984, 62 people were awaiting emergency shelter placements at the EAU at 7:00 p.m.[45]

The experiences of four of the families at the EAU on the evening of Friday, October 26 provide an illuminating portrait of the lives of the homeless. One family, consisting of a mother, a father, and their two sons, aged 6 and 9, had, but for one three-day shelter placement, been given one-day placements through the EAU every day since May 3, 1984. The consequent disruption in their family life had prevented the children from attending school. Often the family had waited until 6:00 a.m. before receiving a placement for the remainder of the morning. One of the boys had asthma and suffered from frequent skin rashes which resulted in the family's rejection from congregate shelters.[46] Another homeless family, including a mother who was nine months pregnant, a father, and three sons under the age of 9, had been coming to the EAU every night that week for emergency housing placements. After spending the evening of Monday, October 22 at the EAU, they were referred to a Queens hotel at 5:30 a.m. the following morning. That night, Tuesday, October 23, the family referred to the EAU

and waited until 2:00 a.m. to be placed again at the same hotel. Arriving back at the EAU at 7:30 p.m. on Wednesday, October 24, they were placed at the same hotel at 12:30 a.m. Finally, on the evening of Thursday, October 25, the family got to the EAU at 6:30 p.m. and at 12:30 a.m. was placed for one night at a hotel in the Bronx.[47] A third family, including a mother with rheumatic fever, her two adolescent children and her month-old grandson, had similarly came to the EAU every evening that week, only to wait until 11:30 p.m., 1:30 a.m. and as late as 2:00 a.m. for emergency shelter placements.[48] A fourth family at the EAU on Friday, October 26, including a mother, a father, and their three-month-old daughter, had previously come to the EAU for temporary shelter approximately ten times. Usually, after having arrived around 6:00 p.m., they had waited for placement at hotel - no congregate shelter would admit their infant daughter - until around 1:00 a.m. the next morning.[49] The picture that emerges from the circumstances of these families is one of constant movement and disorienting unsettlement, on the lives spent in wait all day and all night, for placements in emergency shelter which, if provided, are frequently made as the sun in rising, too late to allow for adequate sleep before check-out time.

At 11:30 p.m. on Friday, October 26, 1984, 24 people remained at the EAU awaiting shelter; of these, 13 were adults and 11 were children, of whom 3 were infants.[50]

One of the families at the EAU that night, which included a mother and her two children, had stayed on weekdays at a hotel in the Bronx during the two preceding weeks, and had spent the weekends at a congregate shelter. EAU staff members told the mother that there was no available hotel at which her family might be placed for an entire week.[51]

The following morning, at 7:00 a.m. on Saturday, October 27, 1984, 8 people were still at the EAU.[52] One of the homeless families there, consisting of a mother, a father and their 14-year-old daughter, had been placed at a hotel the night before, only to have been told, upon reaching the hotel, that their placement would expire by 4:00 a.m. and that they would be required to check out at that hour. This they had done, returning to the EAU before dawn.[53]

At 8:00 p.m. on Saturday, October 27, 27 people awaited temporary shelter placements at the EAU.[54] Later, at 11:30 p.m., that number had grown to 39, including 23 adults and 16 children, of whom 3 were infants.[55] At 1:20 a.m. on Sunday, October 28, there were 41 people waiting at the EAU; of these 20 were adults and 21 were children, among whom 5 were infants.[56] Finally, at 7:00 a.m. on Sunday, October 28, 17 people remained at the EAU; of the 17, 9 were adults and 8 were children.[57] One of the families still at the EAU consisted of a mother and her two children who had stayed the previous night at a congregate shelter to which they had been referred at around 1:00 a.m. and which

they had been forced to leave at 7:00 a.m. The family, which had been forced to sleep overnight at the EAU office a number of times in September, 1984 because no shelter could be located for them, had similarly spent the night of October 27-28 sleeping on the floors and furniture at the EAU office.[58]

Friday, November 2, - Sunday, November 4, 1984

At 7:30 p.m. on Friday, the 2nd of November, 1984, 63 people were awaiting shelter placements at the EAU office.[59] Of the homeless families there at that hour, at least two of them had spent one or more nights during the preceding week sleeping at the EAU because no shelter could be located for them.[60] Another family, consisting of a father, a mother, and their two young sons, had first requested temporary shelter at the EAU on October 1, 1984. For the following two weeks the family had been placed at a different hotel each night, typically arriving at the EAU around 6:00 p.m. and waiting until between 2:00 and 4:00 a.m. for a placement. The mother who was five months pregnant, had been diagnosed as having a fibroid tumor and ordered by her doctor, who wrote a note to this effect, to rest as much as possible. Because of the mother's fragile condition, congregate shelters would not accept her. Despite the family's protests and a written denial of admission from one shelter, however, EAU workers continued to refer the family

to congregate facilities, which repeatedly turned them away at the door, requiring their return to the EAU office.[61] This is just one example of a persistent problem: The inability or unwillingness of EAU staff to take special needs of homeless families into account when making shelter placements.

At 11:45 p.m. on Friday, November 2, 1984, there were 70 people at the EAU awaiting shelter, including 34 adults and 36 children, of whom 5 were infants.[62] By 3:30 a.m. the following morning, Saturday, November 3, 33 people remained at the EAU, of whom 17 were adults and 16 were children, including 6 infants,[63] and at 6:20 a.m. there were 20 people still waiting at the EAU office.[64]

On the evening of Saturday, November 3, 1984, 41 people, including 19 adults and 22 children, of whom 5 were infants, awaited emergency shelter placements at 7:20 p.m. At 8:45 p.m., 29 people remained at the EAU, of whom 14 were adults and 15 were children, including 4 infants. One homeless family at the EAU that Saturday evening included a mother with her two-month-old daughter who had requested temporary shelter at the EAU the day before. After having waited through the night, until 5:00 a.m. that morning, the family was placed at a Queens hotel for the remainder of the morning. Mother and child had not arrived at the hotel until 6:00 a.m.[65] Similarly, another family, consisting of a mother and two young children, had arrived at the EAU at

2:00 p.m. Saturday, November 3, 1984. Early Saturday evening the mother was told by an EAU worker that she and her children would be placed in a hotel at 2:00 a.m. the following morning, after a wait of 12 hours at the EAU office.[66]

Weekend of November 9-11

Friday, November 9-11, 1984

At 8:00 p.m. there were 88[67] people at the EAU including 41 children. At 11:30 p.m. there were still 74 people at the EAU including 45 children[68].

Of the families at EAU on this weekend at least 4 had been referred to congregate shelter the previous day only to be sent right back to the EAU either because a family member was sick or because the shelter was filled. One family consisting of a mother, four daughters and two infant grandchildren was referred by an IM Center to 151st Street in the Bronx but was refused admittance because the shelter was full. After returning to the EAU Center, the family was sent to a congregate shelter in Brooklyn. However, this shelter rejected the family because two children were ill. The family returned to EAU only to be informed that there were no hotel placements.

The plight of this and other families suggests how confused the referral process is. The priority seems to be referring a family so that they are not part of the EAU body count. No one seems to be concerned about whether the referral is appropriate or even possible. The result is sick children

with contagious diseases riding public transportation or staying with large numbers of other children at EAU.

Friday, November 16 - Sunday, November 18

On Friday, November 16th the City expanded the EAU program and opened additional units in Brooklyn, Queens and the Bronx. The net effect of the expansion is a significant diffusion of the problem and a reduced capacity to monitor the program. Only the EAU at 240 Church Street in Manhattan was monitored on this weekend.

On Friday at 8:05 p.m. there were 30 people of whom 21 were children[69].

On Saturday at 6:30 a.m., there were 25 people including 13 children[70]. By 11:30 p.m., there were 32 people with 15 children[71]. On Sunday at 8:45 there were 25 people at the EAU including 12 children[72].

Four of the families at the EAU on this weekend had spent most or all of Friday, Saturday, and Sunday without a placement.

In one case a woman and her eleven year old son waited 12 hours (from 2 p.m. November 16 - 2 a.m. November 17) before being seen by a case worker. The mother produced a doctor's note verifying the son's asthmatic condition and requested she not be referred to a congregate (barrack) shelter. EAU offered the woman a referral to a barrack shelter. Given the previous week's rejection of families with health problems this referral is curious.

Friday, November 23rd - Sunday, November 25

Manhattan EAU only

On Friday at 7:20 p.m. there were 45 people at the Manhattan EAU. Seven of the 45 were infants. [73]* At 11:30 p.m. there were 36 people including 19 children[74]. Four of these children were infants.[75]

Included in the weekend's group was one family which had now stayed in EAU for over a week. Because the family had rejected placement in a congregate shelter the EAU staff had posted a notice that the family was not to receive any food. The notice was removed after a news report revealed the incident. The refusal to feed an entire family is an indictment of a system that is spiteful and punitive, one which punishes those it is mandated to assist.

Friday, December 8 - Sunday, December 10th

On Saturday at 12:15 a.m. there were 58 people of whom 34 were children at the Manhattan EAU.[76]

At 7 p.m. that evening 18 people were at the unit, 10 were children.[77]

On Sunday at 6 a.m. there were 11 people at the EAU.[78]

One of the families at the EAU on this weekend consisted of a mother and her 7 month old daughter who had been in and out of various placements for over a month. They had spent time in different shelters and returned 4 or

5 times to EAU for new placements. The child suffered from bronchitis.

Perhaps this family's situation best summaries the City's approach to assisting the homeless.

There is no consistency, no logic, and no understanding of the clients in the current policies of HRA and EAU. The objective appears to be to get rid of the families wherever and whenever possible, regardless of the quality of placement and the consequences to the family.

Recommendations

Homeless families in New York City comprise a vulnerable population of both parents and children. By the time such families reach the EAU they have exhausted all their financial and personal resources. Going to EAU often represents a final, desperate attempt to keep the family intact.

The observers' reports which comprise the bulk of this document provide stark proof not only that the EAU is incapable of adequately assisting homeless families, but also that through insensitivity, indifference, and outright hostility, the City system for providing emergency shelter to such families jeopardizes the physical and psychological well-being of hundreds of women and their children each and every week.

At the heart of the issue is the City's inability or unwillingness to provide decent temporary shelter and the necessary permanent housing to meet the needs of homeless families. No one, and especially not mothers and young children, should have to spend the night at a welfare office, sleeping on the floor, on raised counters, and in plastic chairs.

The Mayor's litany on the issue of homeless families is remarkably familiar. In the beginning the Mayor asserted that there was no crisis, that only a few families were involved. As the situation worsened we heard that the

City was doing everything in its power to solve the problem -- the existence of which, with some justification, the Mayor blamed on the Administration in Washington. Finally, when all else failed, the Mayor blamed the families, contending that they refuse shelter even though it is available.

The truth is that, despite claims to the contrary, the City's housing program for homeless families does not keep pace with the need -- the majority of hotels remain dirty, dangerous and over-priced, and the barrack-style shelters are unsafe, unhealthy and overcrowded. The City's "Comprehensive Plan" for families, issued one year ago, is obsolete, not even worth the paper it is printed on.

The problem of homeless families has reached the proportions of a crisis. It is indisputable that families offered safe, decent shelter will seize it without hesitation. New York City is today spending a great deal of money to implement old solutions to new problems -- but there is no question that the City could do more to alleviate the difficulties of homeless families, and that it could be more creative in its response to the situation.

Therefore, the Coalition for the Homeless sets forth its recommendation on a new approach to the problem.

The recommendations set forth are in three general areas. Quality of shelter, quantity of shelter, and, most important, reducing the need for shelter. We begin with the issue of quality.

Eminent Domain

The Allerton Hotel in Manhattan was sheltering 92 families at the end of September 1984. This hotel was removed from the City's referral list many months ago. Yet quietly, because of the pressure on the system that resulted from an increase in the numbers of homeless families, the referrals began again. Although exact figures on the annual cost to HRA of placements at the Allerton are not available, it is estimated to be about $2.0 million per year (assuming continued occupancy of 92 families). This rather large expenditure pays for few services, and has resulted in no improvements in building conditions at the hotel. The Carter Hotel in Manhattan, which houses about 158 families, features conditions totally appalling, and is even more expensive. In these and several other cases, moreover, hotel owners are reaping huge profits while victimizing families through harassment, sexual abuse, and physical intimidation. No measures have been taken by City officials which have resulted in any substantive improvements.

We recommend that the City exercise its authority under the Eminent Domain Procedures Law to seize the largest and most abusive hotels housing homeless families with children so that decent shelter for such families can be ensured. Humanitarian and economic concerns justify such action.

This is by no means a novel idea. In September of 1983 the Mayor, faced with the prospect of filthy, overpriced

hotels, thought the use of eminent domain was "a good suggestion."[79] Frederick A.O. Schwarz, Jr., the City's Corporation Counsel, suggested this was "really a pretty simple process" and could begin in a month's time.[80] The Mayor suggested that the money saved in rents could be used to make needed repairs. The only problem was the purchase price of hotels which "while they are fleabags and third rate, are sitting on valuable property."[81] The mayor cited the Martinique as an example. We suggest that this is all the more reason to act now. Fifteen months ago rents in the hotels were $1,200 per month. That figure is often significantly higher today. Take as an example approximately 90 rooms in which the city is paying $65.00 per night. The annual cost for sheltering those families is $2,135,250. This figure pays the rent but does not provide any social services nor does it guarantee basic security and maintenance. According to a variety of not-for-profit agencies, a 90 room hotel can be operated with a full complement of building and social services (including but not limited to casework, day care, housing referral, 24-hour security, and 24-hour desk coverage) for approximately $1.5 million. This figures saves over one-half million dollars on an annual basis as compared to the cost of just paying rent. In addition, the services which HRA now must provide through contracts with non-profits and its won CIS teams potentially costs an additional $100,000 per year. Thus the city could save potentially

$700,000 per year in operating costs. This money can be used to finance the purchase of hotels. Even if a hotel were to cost $7 million the city could cover most of the purchase price through operational savings over the next 10 years. Further the city would own decent hotels on what the mayor calls valuable property.

When and if this crisis passes the city could then convert the hotels to permanent housing or sell them to recover its investment.

As for the moral and ethical questions of City exercise of its power of eminent domain, it should be emphasized that the principle behind eminent domain is the public good. Seizure of these properties would clearly serve the public good. New York City faces a crisis of tragic consequences: thousands of adults, children, and infants now have been without permanent housing for months and years. Decent shelter is essential for their physical and emotional well-being during this period. City hotels have become a critical resource for provision of that shelter. Yet constantly, the management of many of these facilities has taken advantage of the personal trauma of homeless families, seeing their plight as an opportunity to make large profits without providing the requisite services and decent shelter which these families desperately need. In a form of legalized extortion, the management of many hotels has ignored building codes, health codes, and basic standards of decency while

demanding more and more financial reimbursement from the City for sheltering homeless families. We maintain it is a violation of the public good not to seize these hotels; decent emergency shelter for homeless families should be the rule rather than the exception.

Not every hotel is poorly run, and those which have responsible management, offering shelter at reasonable rates, should stay as they are. Our recommendation applies only to those hotels in which management has failed to assure decent, safe, living conditions. The precedent for the City's exercise of its power of eminent domain under the circumstances exists in the City's takeover of the Kenton Hotel in January, 1984.

Expansion of Shelter Capacity:

The City's use of eminent domain may result in improved temporary shelter conditions. However, it will not alleviate the current crisis in shelter capacity. Therefore, we recommend the following additional measures to increase the numbers of available shelter beds for families.

The City should rent, for use as temporary shelter, privately owned apartments, either through HPA or some other entity such as the New York City Partnership, at market rates. The City should guarantee rental payments and services for occupants, and use the apartments as temporary shelters for one or two families. We suggest the renting of 500 such apartments. It might be said that this would cut

into otherwise available permanent housing stock; we recommend, to the contrary, that such apartments not be low-income units. City acquisition of apartments renting for $800 for $1000 dollars per month and occupied by one or two families will still result in significant savings while increasing shelter capacity.

There has been much talk of the use of mobile homes to shelter homeless families. A Staten Island councilman has suggested that 3000 units be placed in the South Bronx. Though such geographical restriction would not be acceptable, the idea itself appears workable. We therefore recommend that the City immediately purchase 300 mobile homes, with two sites in each borough and no site having more than 30 units. To insure that such units would remain temporary, the families occupying such homes could be given priority when housing placements are made.

Net Leasing:

The City currently rents space in hotels on a room by room basis. To increase capacity and to gain additional control of operations, we recommend the City enter into net leasing arrangements for blocks of rooms or entire hotel facilities.

Enriched Reimbursement:

HRA currently pays hotel owners who provide no services the same amount for sheltering homeless families as it pays to non-profit organizations which are required both

to shelter and to provide services to such families. In many cases, hotels receive even higher reimbursement than the non-profit organizations. We recommend that the City institute a two-tier reimbursements system. One rate might suffice for the provision of shelter alone. The City should consider a higher, negotiated rate for non-profits and others which will provide shelter and service. Such a rate would allow more not-for-profit organizations to establish and operate family shelters.

Public Facilities

The City of New York owns several buildings such as schools, nursing homes, hospitals, etc. which are currently vacant or underutilized. These facilities represent a potential resource for families. They should be converted to family shelters which provide privacy with perhaps shared dining and recreational space. Although these facilities may not provide the total privacy of apartments they can become a major improvement of the totally unacceptable barracks.

Congregate Shelter (Barrack Style)

The temptation in a crisis is to reach for the quickest response. The barrack shelters are an example. These facilities provide for families what HRA has been giving to single adults for four years. These facilities provide no privacy and are often overcrowded, unhealthy, and unsafe. These shelters are not acceptable. We strongly

urge that no more be opened and the ones currently in use be phased out.

No measure regarding shelter will ultimately have an impact unless there are places for families to live. Therefore, the ultimate test of our desire to eliminate homelessness is our commitment to permanent housing.

Permanent Housing

HPD claims to have renovated 3500 units for homeless families. Yet since such renovation began, the number of families needing emergency shelter has risen by approximately 1000. The Mayor's management report indicates a continued decline in available low-income housing stock. Permanent housing is significantly cheaper to operate than the City's emergency shelter program, especially as the program now functions. Therefore, it is in the City's best interest to increase the number of available low-income permanent housing units, for which rents are between $200 and $300 per month, so that homeless families will not require placement in hotels costing between $1000 and $2000 per month for the same rental period.

We therefore recommend that HPD double its current effort in its homeless housing program, so that instead of producing 3500 units over the next 18 months, HPD would produce 7000 units. The capital costs of 35000 additional units can be estimated at around $105 million. In comparison, the temporary shelter cost for 3500 families at hotels at

rates averaging $1500 per month for 18 months is $94.5 million. Since continuation of HPD's housing production program at its current rate will insure greater need for emergency shelter, we believe this effort would constitute a sound investment.

The recommendations of this report are based on what we view as a moral, social and economic imperative. The crisis exists -- it worsens day after day. The city must do something and it must do it now. The present health and future development of thousands of children and their parents is at stake. The answers we seek are neither cheap nor easy. But who, on the other hand, is prepared to say what the life of a child is worth?

Footnotes

Part I:

[1] State Department of Social Services Report to the Governor.

[2] HRA-CIS Family report October 1984.

[3] Callahan v. Carey, Index No. 179 (decree filed on August 16, 1981 in State Supreme Court, New York County, mandates provision of shelter to homeless men); Eldredge v. Koch, Misc. 2d , rev'd on other grounds, App. Div. 2d (1st Dep't 1983) (extending right to shelter to homeless women).

[4] See Cannady v. Koch, 84 Civ. 3900, a case pending in federal district court in Brooklyn where homeless families seek the right to shelter.

Part II:

1 Report of observers Edward Hartnett and Susan Ross.

2 Report of observer Edward Hartnett.

3 Report of observer Susan Ross

4 Report of observer Edward Hartnett.

5 Ibid.

6 Report of observer David Yamada.

7 Report of observer Susan Ross.

8 Ibid.

9 Ibid.

10 Report of observer David Yamada.

11 Report of observer Helga Busemann.

12 Report of observer Robert Hayes.

13 Report of observers Robert Hayes and Mike Sinsky.

14 Report of observer Robert Hayes.

15 Report of observer Mike Sinsky.

16 Ibid.

17 Report of observers Robert Hayes and Mike Sinsky.

18 Report of Mike Sinsky.

19 Ibid.

20 Ibid.

21 Ibid.

22 Ibid.

23 Ibid.

24 Report of observer Edward Hartnett.

25 Report of observer Mike Sinsky.

[26] Ibid.

[27] Ibid.

[28] Report of observer Edward Hartnett.

[29] Report of observer John Reynolds.

[30] Report of observers Andrea White and Suzanne Smith-Weiss.

[31] Report of observer Suzanne Smith-Weiss.

[32] Report of observers Andrea White and Suzanne Smith-Weiss.

[33] Report of observer Mark Bullock.

[34] Report of observer Michael Sinsky.

[35] Ibid.

[36] Ibid.

[37] Report of observer John Reynolds.

[38] Report of observer Karen Kinsell.

[39] Report of observer Edward Hartnett.

[40] Report of observer Mark Bullock.

[41] Ibid.

[42] Ibid.

[43] Ibid.

[44] Ibid.

[45] Report.

[46] Ibid.

[47] Ibid.

[48] Ibid.

[49] Ibid.

[50] Report of observer Karen Kinsell.

[51] Ibid.

[52] Report of observer Susan Ross.

[53] Ibid.

[54] Report of observer David Yamada.

[55] Report of observer Mark Bullock.

[56] Ibid.

[57] Report of observer Karen Duqhney.

[58] Ibid.

[59] Report of observer Michael Sinsky.

[60] Ibid.

[61] Ibid.

[62] Report of observer Mark Bullock.

[63] Ibid.

[64] Report of observer John Reynolds.

[65] Report of observer Mark Bullock.

[66] Ibid.

[67] Report of Observer Karen Kinsell.

[68] Report of Observer Edward Harner.

[69] Report of Observer Mark Bullock

[70] Report of Observer John Reynolds.

[71] Report of Observer Mark Moradam.

[72] Report of Observer David Yamada.

[73] Report of Observer Mark Bullock.

[74] Report of Observer David Yamada.

[75] Report of Observer Karen Kinsell.

[76] Report of Observer John Reynolds.

[77] Report of Observer Edward Harnett.

[78] Report of Observer Michael Sinsky.

[79] New York TImes, September 6, 1983.

[80] Ibid.

[81] Ibid.

COALITION FOR THE HOMELESS

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TESTIMONY

of

Robert M. Hayes,

Counsel, Coalition for the Homeless

before the

House Intergovernmental Relations

and Human Resources Subcommittee

of the

Committee on Government Operations

New York, New York
November 20, 1984

Mr. Chairman, my name is Robert Hayes and I am the lawyer for the Coalition for the Homeless, a federation of individuals, agencies and civic groups committed to the principle that decent shelter, affordable housing and sufficient food are fundamental rights in a civilized society.

You come to New York with your committee, Mr. Chairman, at a propitious time because it is such a very bad time for New York's homeless poor. As you probably know, our Mayor -- already under court order to provide shelter to homeless single adults -- has been unable or unwilling to provide shelter to scores of homeless families for nearly three months now. Since late last summer, homeless mothers with their children -- frequently babies and infants -- have been sleeping on the floor of a City welfare office because the City has run out of emergency shelter space for families. Until yesterday, when the Mayor's peculiar brand of politics came into play, city officials were admitting this. After seeing today's newspapers, it's difficult to know what the City's position is.

I want to focus on these urgent needs of homeless families, Mr. Chairman, because shelter for families is the single massive shelter program for the homeless governed by federal law, supported with federal funds, and supposedly regulated by the federal government. Last year, a federal court in Brooklyn held that homeless families have a right to shelter under the Social Security Act, a federal statute. (Koster v. Webb, 82 Civ. 2892 (J. Glasser)) Federal law quite plainly requires the department of Health and Human Services to see that rights under the Social Security Act are enforced, and HHS has specific powers to force

Security Act are enforced, and HHS has specific powers to force local governments to provide entitlements, such as family shelter, to the homeless. Mr. Chairman, I call on your oversight committee to determine just why HHS is standing silent while the City of New York abandons members of homeless families to the counter tops and floors of welfare offices.

Frankly, I would despair at asking federal intervention to protect the homeless poor on matters of policy since, it is true, the President's policies make the Mayor's policies look like the corporal works of mercy. But I'm not asking for federal intervention on a matter of unsettled policy. The mandate for the City to secure family shelter for the homeless is already established under federal law. We need the federal enforcement agency to see that the will of Congress -- as enacted in the Social Security Act -- is fulfilled. It's a ministerial function of HHS, and one which I do not believe can be undermined by the current leadership at HHS.

Since last August the City has regularly exhausted its supply of emergency housing beds -- including all the cots and cribs in the so-called barrack shelters where hundreds of men, women and children share a common sleeping room. The municipal shelter system is bad enough when it's not at overflow. Children, caught up in that system, cannot help but be damaged by the lack of food, schooling and security while they dwell in the worst of the City's flophouses or even worse in these barrack shelters which resemble refugee camps for war victims.

That's bad, but what's happened of late is that even these niggardly offers of relief have not been available. I have

personally seen a mother with four children, one of whom was a seven-pound newborn infant, forced to sleep for an entire weekend at the emergency welfare office. She was offered no shelter, because there was no shelter. Another mother, with her three year old child, crippled with cerebral palsy, spent the night at the welfare office because there was no room anywhere for her. Pregnant women, with regularity, have spent the night at the welfare office. Because, again, there was no room for them.

Weekend after weekend the City has exhausted its supply of shelter beds, with the full knowledge of high city officials. As a result, the poorest and weakest of our neighbors have gone shelterless, children have suffered, infants have been damaged. It's a civilized city we are in, isn't it, Mr. Chairman.

Yesterday, this human suffering was turned into a political circus by a Mayor who, one suspects, fears that New York is indeed too civilized and humane a town to find acceptable such malign neglect of our children. You can read in today's newspaper the Mayor claiming that it is the mothers who don't want shelter for themselves and their children who put their babies on the floor of a welfare office, somehow by choice. It's their fault, he says, not mine. "Nobody will be turned away," the Mayor says. (New York Times, 11/20/84).

Now I would certainly never say the Mayor lies, Mr. Chairman, because I am sure he is an honorable man. But I must tell you, when he says there has been and is shelter space for all needy, homeless families, he is not telling the truth. At best, the Mayor is speaking with reckless disregard for the truth. It would be humorous, if children's lives were not at

stake, to see all the Mayor's men scramble to cover his untruths.

You may remember back in September, when the scandal of children without shelter first broke, the Mayor was a bit more forthright. "I'm sure there will be emergencies when we won't be able to get them into hotels or shelters...," the Mayor then said. (Newsday, 9/20/84). His men, charged with caring for these women and children, were more candid. Martin Burdick, deputy Human Resources Administration commissioner, said that shelters were "filled to capacity" and that HRA was "unable to find a shelter or hotel room that had available space." Id. The public relations man for HRA, Jack Deacy, put it this way: "We've just run out of hotel rooms, generally on weekends. We're doing our best to come up with extra ones." (New York Times, 9/22/84) Deputy Mayor Stanley Brezenoff argued that there just weren't that many families denied shelter to constitute what the deputy mayor called a "crisis." (Newsday, 9/22/84.)

Mr. Chairman, you should see these children. You should hold these babies. I have, and I am sorry, but I shake in rage when I think of a politician fatuously saying that so long as only a handful of these kids are denied shelter, well it's all right.

Over this weekend, the candor, at least for a while continued. Mr. Deacy said, quite bluntly, "When we run out of hotel rooms and space at our shelters, there is no way for us to invent space." He added: "On some nights, there is not enough room." (New York Times, 11/19/84). Deputy Mayor Brezenoff was reasonable about the situation, if paralyzed by the problem: "We

do the best that anyone can reasonably be expected to do," he said. (Id.) These officials were not helpful, but they were honest.

Yesterday, the Mayor took over and once more it appears that politics are more important than children.

Even for 1984, though, the new doublespeak of the Koch Administration is baffling. For ten weeks, weekend after weekend, the City has run out of shelter beds for families. It's been known; it's been admitted. But fresh home from his trip to Europe the Mayor says it's not true. Only people who refuse shelter don't get shelter. (New York Times, 11/20/84.) What a scramble that caused for those brave men who work for the Mayor, but who had already admitted the truth.

Mr. Brezenoff, who on Sunday conceded the problem, on Monday had to walk on eggs. "Everyone gets a bed," he said. "But that doesn't mean they are going to get it right that second." (Id.) What that means, Mr. Chairman, is that maybe the family will wait just ten hours in the emergency welfare office, maybe 12 hours, maybe 24 hours or maybe a full weekend. It must be fun for Mr. Brezenoff to work in this administration, as he insisted that people do not sleep in welfare offices, but still decided that maybe it is time to put cots and cribs in those offices after all. Id. Doublespeak.

Jack Deacy did even better. He directly contradicted the Mayor's claim by counting 153 families -- that's over 500 people -- who were denied shelter because there was no space. Id. But then an apparently more loyal HRA official, Bob Jorgen, insisted "we are holding our own." (Id.)

If it sounds like war, maybe that's because it is war. These children, bounced relentlessly from place to place, have the hollow, dazed look you used to see only in photographs of children from battle fields. And I detail the political nonsense surrounding this calamity for our kids only to underscore the hopelessness of the Koch Administration ever competently, economically and compassionately offering relief to these children. Sometimes I think it's a shame that politicians, who are quite adept at playing political word games, have actually to run government. The games will go on, the 1984 doublespeak will go on, but all that will only thwart the rescue of the children.

That is why I am serious when I ask you, Mr. Chairman, to see that the federal government, HHS, steps in to force the Mayor to shelter these families. We don't need political games. We need cribs and formula and milk and beds.

We don't need excuses. We need blankets and apples and showers.

You should come visit these children, Mr. Chairman, a homeless band who will grow up as a lost generation without even the small chance other poor kids in this City have to break out of a lifetime of poverty and dependency.

I think of Joseph, a three year old, who has bounced with his mother and three brothers from hotel to hotel, from shelter to shelter, and then to spend weekend after weekend on the floor of the City's emergency welfare office. Sometimes he trembles, sometimes he's jumpy, sometimes he bangs on locked office doors begging for food. Sometimes he dozes off, but never for very

long because someone is always yelling at the welfare office where he tries to sleep, huddled on the floor under brilliant fluorescent lights.

He has the look of a wild hunted animal in his eyes. And then I hear the doublespeak of excuses and untruths from City Hall trying to convince the public that it is really Joseph's fault, or at least his mother's fault, that he can never sleep.

Then I really think of Orwell and remember his government in 1984 used the same techinques: big brother tortured enemies of the state by never letting them fall asleep. Our homeless children are the Winston Smith's of New York City in 1984.